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A new feeling of peaceful security has begun to take its place. A belief in the pacific intentions of other powers is much more apparent than heretofore. The aggravating Anglo-Japanese Alliance is no more. The possibilities in a friendly conference have been brought home to the consciousness of us all. Shantung is to be returned to China as a result of direct agreement between the two powers. The most unsatisfactory of the so-called twenty-one demands made by Japan upon China have been withdrawn. Japan has made hopeful and explicit declarations regarding the territory of eastern Siberia. The dispute between us and Japan over the island of Yap has been composed in a treaty now before the Senate. The world's burden of armaments is to be appreciably diminished. The madness in the competitive race is over. The bankrupt nations may now go about the business of recouping their losses, of paying their debts, and of doing something worth while toward the upbuilding of civilization.

But, in our judgment, no one of these things, indeed, not all of them together constitute the most hopeful thing in the new state of mind. The most constructive and encouraging fact brought home to us by the Conference is the return with unanimity to constitutional methods. To have met as a conference of delegates in a quasi-legislative capacity without entering into any entangling alliance in the sense used by Thomas Jefferson; to have adopted rules, regulations, laws with no threat of armed force; to have sent these rules, regulations, laws to the accredited representatives of the people of the various powers for ratification with no hint of bayonets; to have agreed in terms of solemn friendship to abide by these rules, regulations, laws, when finally adopted by the representatives of the people, with no sovereignty endangered; to have accomplished all these in a time of peace for the promotion of the common good, with no violence to the American Constitution and no lessening of personal liberty or national independence anywhere, is to have brought the world back again to the methods of law and order and a desirable peace. This, we fondly believe, is the new state of mind par excellence. A physical and a moral disarmament? Yes, in a measure. But, of far greater importance, the world has been headed again toward those constructive achievements—health, happiness, will to create—upon which must rest any warless world that is to be. It is not a negative thing that bids us hope. It is a process of fulfillment in a world of law and justice, an old state of mind come to life again, a sense of the importance of legal processes that stamps the “new state of mind” with a new interest and lends to it a new sheen.

THE TRIBUNAL OF THE WORLD

THE Permanent Court of International Justice was inaugurated in the Palace of Peace amid many flags, the pealing of bells, and accompanied by services in all the churches at The Hague, February 15. No little space was given to this event in the columns of the American press. Holland, the home of Hugo Grotius, founder of the science of international law, is one nation capable of appreciating the importance of the event. Queen Wilhelmina, who had given a reception at the royal palace in honor of the judges, the Queen Mother, the Prince Consort, the whole diplomatic corps; Jonkheer van Karnebeek, Dutch Minister of Foreign Affairs, who had also given a reception in honor of the judges, and other distinguished persons were present. Many cablegrams from around the world were received. Count Uchida, Minister of Foreign Affairs of Japan, cabled the judges as follows:

“This surely is a great step towards the realization of the ideal of universal peace, and Japan, which yields to none in its love of peace and justice, rejoices profoundly. Therefore I have the honor to express, in the name of the imperial government, my sincere wishes for the development of the new institution.”

Readers of the *ADVOCATE OF PEACE* do not need to be reminded of the attitude of the American Peace Society toward this most significant accomplishment. It is well that the court has been established with appropriate ceremony and solemnity. Each judge, clothed in his black silk and velvet gown, specially designed for the court, took his oath, in the order of rank, as follows:

“I hereby solemnly declare that I will always exercise impartially and conscientiously the duties conferred upon me as judge of the Permanent Court of International Justice.”

This first meeting was held in the great Hall of Justice, with its walls of carved oak and its appropriate setting and atmosphere.

The eastern and western worlds are represented upon the bench. The personnel consists of men qualified for the highest judicial offices in their respective lands, “jurisconsults of recognized competence in international law.”

The representative of the United States is John Bassett Moore, and the others present in The Hague for the meeting are: The President, or Chief Justice, Bernard Cornelius Johannes Loder, Holland; Dr. Rafael Altamira Y. Crevea, Spain; Commendatore Dionisio Anzilotti, Italy; Viscount Robert Finlay, Great Britain; Dr. Max Huber, Switzerland; Didrik Nyholm, Denmark; Dr. Yorozu Oda, Japan, and Dr. Andre Weiss, France. The other two judges, Dr. Ruy Barbosa, of Brazil, and

Dr. Antonio S. De Bustanmente, of Cuba, are as yet unable to reach The Hague.

Three of the deputy judges are in attendance: F. V. N. Beichmann, of Norway; Demetriu Negulesco, of Rumania, and Michailo Yovanovitch, of Jugoslavia, Dr. Wang Chung-Hui, of China.

There are other facts encouraging us to believe that this court is destined to meet the expectations of its friends. Forty-four States have signed the protocol of December 16, 1920. Of these forty-four, thirty-three of the governments have ratified, as follows: Albania, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, China, Cuba, Czechoslovakia, Denmark, Finland, France, Greece, Haiti, India, Italy, Japan, Netherlands, New Zealand, Norway, Poland, Portugal, Rumania, Serb-Croat-Slovene State, Siam, South Africa, Spain, Sweden, Switzerland, United Kingdom, Uruguay, and Venezuela.

The States not yet having ratified the protocol are: Bolivia, Colombia, Costa Rica, Esthonia, Latvia, Liberia, Luxemburg, Panama, Paraguay, Persia, and Salvador.

Under the terms of the protocol, States may grant to the court general compulsory jurisdiction; that is to say, they may agree that cases arising under the categories set forth in the statute of the court shall, in given cases, be submitted by them to the court for its judgment. This clause, requiring no ratification, has been signed by eighteen States, as follows: Brazil, Bulgaria, China, Costa Rica, Denmark, Finland, Haiti, Liberia, Lithuania, Luxemburg, Netherlands, Norway, Panama, Portugal, Salvador, Sweden, Switzerland, and Uruguay.

We understand that the judges and deputy judges have at their disposal two panels of technical assessors to advise them on points arising in labor and transit questions. The labor panel comprises two assessors, nominated by each member of the League of Nations, and one employers' and one workers' representative from each member country, chosen by the labor office of the League. The transit and communications panel is composed of two nominees of each member State.

Critics of the court already appear. It is pointed out that the court is to have jurisdiction in matters involving international law, and that international law, if it exist at all, is inchoate. A member of the court, Judge Huber, already complains that the new court lacks all-round compulsory jurisdiction; that it can act only when litigant States agree to submit their disputes to it. A correspondent cables from The Hague inquiring how international law can be expected to progress if the court limits its decisions to existing laws.

But the outstanding encouraging fact is that the court is now in existence. There are other promising facts. If it bases its decisions on international conventions, whether general or special, establishing rules expressly

recognized by the contesting States; on international custom as evidence of a general practice accepted as law; on general principles of law as recognized by civilized nations; on judicial decisions and the teachings of the most highly qualified publicists of the various nations, international law will by such processes develop in proportion as the wisdom of the decisions and their beneficent results warrant. In time the proposal made by the original framers of the plan for the establishment of the court, namely, that there should be an international conference for the codification of international law, a third Hague Conference, to function as a quasi-international legislature, will have to be accepted.

It is significant of present world psychology that Dr. Rokuichiro Masujima, member of the Japanese bar, has recently delivered an address before the New York State Bar Association urging the importance of an accepted standard of international justice throughout the world, and that the World War came because the world neglected to pay that reverence to the authority of international law which its sanctity demanded.

Encouragements in the situation dominate the discouragements. The court exists. It is free to deliver its judgments in behalf of all mankind, free from all political control. We are disposed to agree with Dr. da Cunha that February 15 was "one of the great days in the annals of human history."

DISARMAMENT IMPOSSIBLE

WE BELIEVE that disarmament of the nations is impossible. We shall be criticized for such a statement on the ground that it is the counsel of despair. It is no such counsel. If it be a fact, it is necessary to recognize the fact, for the supreme counsel of despair is the counsel to ignore the facts. Our reason for believing that national disarmament is impossible is that the nations have arrived at a condition of organized life where their total industrial, commercial, educational, and even religious organisms are potential war machines. The steam and motor transportation systems of a nation are potentially as much war as peace organizations. The same thing is true of the various means of communication, electrical or whatsoever. Such a simple matter as the manufacture of tin cans is as much an aid to the conduct of war as to the promotion of peace, for the tin-can food-container enables armies to travel from their bases by distances much farther than ever heretofore. The various types of aircraft are peace agencies; they are also readily transferable into war machines. The same thing is true of undersea boats. But more impressive than any of these self-evident facts is the nature of our modern chemical industries. In his annual re-